



Atty. Dkt. No. 080542-0166

***Erewith IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicants: Noriya HAYASHI et al.  
Title: SHAPE MEMORY POLYMER COMPOSITION, FIBER  
REINFORCED PLASTIC AND PRODUCTION PROCESS  
THEREOF  
Appl. No.: 10/800,008  
Filing Date: 03/15/2004  
Examiner: Benjamin Gillespie  
Art Unit: 1796  
Confirmation No. 6818

**TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Madam/Sir:

Your Petitioner, MITSUBISHI HEAVY INDUSTRIES. LTD, having its principal place of business at 16-5, Konan 2-chome, Minato-ku, Tokyo 108-8215, Japan, represents that it is the owner of the entire right, title, and interest in and to U.S. Patent Application Serial No. **10/800,008**, filed **03/15/2004**, by virtue of an Assignment filed and recorded on **06/24/2004**, on Reel/Frame **015500/0259**, in the United States Patent and Trademark Office; a copy of the Patent Assignment Abstract of Title is attached hereto as APPENDIX C.

Further, your Petitioner represents that it is the owner of U.S. Patent Application No. **10/492,940**, filed **09/27/2004**, by virtue of an Assignment filed and recorded on **09/27/2004**, on Reel/Frame **015867/0262**, in the United States Patent and Trademark Office, ; a copy of the Patent Assignment Abstract of Title attached hereto as APPENDIX D.

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Your Petitioner, MITSUBISHI HEAVY INDUSTRIES. LTD, hereby disclaims the terminal part of the term of any patent granted on U.S. Patent Application 10/800,008 which would extend beyond the full statutory term, as shortened by any terminal disclaimer, of any patent granted on U.S. Patent Application 10/492,940, and hereby agrees that any patent so granted on U.S. Patent Application 10/800,008 shall be enforceable only for and during such period that the legal title to any patent granted on U.S. Patent Application 10/492,940 shall be the same as the legal title to any patent granted on U.S. Patent Application 10/800,008, this agreement to run with any patent granted on U.S. Patent Application 10/800,008 and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on U.S. Patent Application 10/800,008, prior to the full statutory term of any patent granted on U.S. Patent Application 10/492,940 as defined in 35 U.S.C. §§ 154-156 and 173, in the event that any patent granted on U.S. Patent Application 10/492,940 expires for failure to pay a maintenance fee, is held unenforceable or is found invalid in a final judgment by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321(a), has all claims canceled by a reexamination certificate or as a result of an interference proceeding, or is otherwise not deemed to provide the rights conveyed by 35 USC § 154, prior to the full statutory term of any patent granted on U.S. Patent Application 10/492,940 as defined in 35 USC §§ 154-156 and 173, except for the separation of legal title stated above. Further, Petitioner does not disclaim any terminal part of a patent granted on U.S. Patent Application 10/800,008 that would extend beyond the present termination of any patent granted on U.S. Patent Application 10/492,940, in the event that such present term is extended by virtue of compliance with the conditions for term extension of any present or future patent term extension provisions of the patent law, including but not limited to 35 U.S.C. §§ 155, 155A or 156, and without waiving Petitioner's right to extend the term of a patent granted on U.S. Patent Application 10/800,008 to the extent provided by law.

The undersigned, being the Attorney of Record for U.S. Patent Application 10/800,008, and duly authorized to act on behalf of Petitioner, certifies that he has reviewed the Assignments attached as APPENDICES C and D, and to the best of his knowledge and belief, legal title to U.S. Patent Application 10/800,008 and any patent granted on U.S. Patent Application 10/492,940 rests with Petitioners, MITSUBISHI HEAVY INDUSTRIES. LTD. The undersigned declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing therefrom.

Respectfully submitted,

Date Aug. 21, 2009

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By 

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Attorney for the Applicants  
Registration No. 35,264

## **APPENDIX C**



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## Assignments on the Web &gt; Patent Query

## Patent Assignment Abstract of Title

**NOTE: Results display only for issued patents and published applications.  
For pending or abandoned applications please consult USPTO staff.**

## Total Assignments: 1

Patent #: NONE

Issue Dt:

Application #: 10800008

Filing Dt: 03/15/2004

Publication #: [20040210027](#)

Pub Dt: 10/21/2004

Inventors: Noriya Hayashi, Shunichi Hayashi, Norio Miwa, Toshikatsu Nohara

Title: Shape memory polymer composition, fiber reinforced plastic and production process thereof

## Assignment: 1

Reel/Frame: [015500/0259](#)

Recorded: 06/24/2004

Pages: 4

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

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Exec Dt: 05/17/2004

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Exec Dt: 05/17/2004

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Exec Dt: 05/17/2004

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## Assignments on the Web &gt; Patent Query

## Patent Assignment Abstract of Title

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## Total Assignments: 1

Patent #: NONE

Issue Dt:

Application #: 10492940

Filing Dt: 09/27/2004

Publication #: 20050072522

Pub Dt: 04/07/2005

Inventors: Noriya Hayashi, Shunichi Hayashi, Norio Miwa, Toshikatsu Nohara

Title: Matrix resin composition for fiber-reinforced plastics and process for production of fiber-reinforced plastics

## Assignment: 1

Reel/Frame: 015867/0262

Recorded: 09/27/2004

Pages: 3

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

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Exec Dt: 04/26/2004

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